

APPEAL NO. 030417  
FILED MARCH 18, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 21, 2003. With regard to (Docket No. 1), the hearing officer determined that the compensable injury of (date of injury for Docket No. 1), does not include a right shoulder sprain/strain. With regard to (Docket No. 2), the hearing officer determined that (1) the appellant (claimant) did not sustain a compensable injury to her right shoulder and/or right upper arm on (date of injury for Docket No. 2); and (2) the claimant did not have disability as a result of the claimed injury of (date of injury for Docket No. 2). The claimant appeals the determinations with regard to Docket No. 2, on sufficiency of the evidence grounds. The respondents (carriers) urge affirmance. The hearing officer's determination with regard to Docket No. 1 was not appealed and is, therefore, final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in making the complained-of determinations. The injury determination involved a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's injury determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). Because the claimant did not sustain a compensable injury, the hearing officer properly concluded that the claimant did not have disability. Section 401.011(16).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier in Docket No. 1 is **ROYAL INSURANCE COMPANY OF AMERICA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, COMMODORE 1, SUITE 750  
AUSTIN, TEXAS 78701.**

The true corporate name of the insurance carrier in Docket No. 2 is **PENNSYLVANIA MANUFACTURERS ASSOCIATION** and the name and address of its registered agent for service of process is

**CT CORPORATION  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Edward Vilano  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge